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Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the
Northern District of California

Division

Case No.

C20-0800

(to be filled in by the Clerk's Office)

George J. Austin, esq. (TBA).

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Tesla, Inc., Balance Staffing, MVP Personnel, Sandy Malloy, Steve Anderson, Daniel Garcia, Jose Mendiola, Vince Woodard

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

FILED

FEB 03 2020

SUSAN Y. SOUZA
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
OAKLAND OFFICE

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	George J. Austin, esq. (TBA).
Street Address	PO Box 1832
City and County	Oakland, Alameda County
State and Zip Code	California, 94604
Telephone Number	NA 209.915.6304
E-mail Address	gaustin07@gmail.com, geaustin@tesla.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name	Tesla, Inc.
Job or Title <i>(if known)</i>	Organization
Street Address	455000 Fremont Blvd,
City and County	Fremont
State and Zip Code	CA, 94538
Telephone Number	510.249.3500
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Balance Staffng
Job or Title <i>(if known)</i>	Organization
Street Address	2750 Cherryland Ave
City and County	Stockton
State and Zip Code	CA 95215
Telephone Number	209.474.1379
E-mail Address <i>(if known)</i>	teslapayroll@balancestaffing.com

Defendant No. 3

Name	MVP Personnel Staffing Group
Job or Title <i>(if known)</i>	Organization
Street Address	1524 J St,
City and County	Modesto, Stanislaus County
State and Zip Code	CA 95354
Telephone Number	(209) 645-7773
E-mail Address <i>(if known)</i>	teslapayroll@balancestaffing.com

Defendant No. 4

Name	Steve Anderson
Job or Title <i>(if known)</i>	Associate Manager, Tesla
Street Address	455000 Fremont Blvd,
City and County	Fremont
State and Zip Code	CA, 94538
Telephone Number	510.249.3500
E-mail Address <i>(if known)</i>	standersen@tesla.com

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Defendant No. 1

Name	<u>Vince Woodard</u>
Job or Title <i>(if known)</i>	<u>HR Director, Tesla</u>
Street Address	<u>455000 Fremont Blvd,</u>
City and County	<u>Fremont</u>
State and Zip Code	<u>CA, 94538</u>
Telephone Number	<u>510.249.3500</u>
E-mail Address <i>(if known)</i>	<u>vwoodard@tesla.com</u>

Defendant No. 2

Name	<u>Sandy Malloy</u>
Job or Title <i>(if known)</i>	<u>Leader in Payroll & Personnel Balance Staffng</u>
Street Address	<u>2750 Cherryland Ave</u>
City and County	<u>Stockton</u>
State and Zip Code	<u>CA 95215</u>
Telephone Number	<u>209.474.1379</u>
E-mail Address <i>(if known)</i>	<u>sandy.malloy@balancestaffing.com</u>

Defendant No. 3

Name	<u>Daniel Garcia</u>
Job or Title <i>(if known)</i>	<u>Lead, Tesla</u>
Street Address	<u>455000 Fremont Blvd,</u>
City and County	<u>Fremont</u>
State and Zip Code	<u>CA, 94538</u>
Telephone Number	<u>510.249.3500</u>
E-mail Address <i>(if known)</i>	<u>danigarcia@tesla.com</u>

Defendant No. 4

Name	<u>Jose Mendiola</u>
Job or Title <i>(if known)</i>	<u>Supervisor, Tesla</u>
Street Address	<u>455000 Fremont Blvd,</u>
City and County	<u>Fremont</u>
State and Zip Code	<u>CA, 94538</u>
Telephone Number	<u>510.249.3500</u>
E-mail Address <i>(if known)</i>	<u>jomendiola@tesla.com</u>

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

* Equal Pay Act (Wage Theft) * Whistle-blower Laws * US Constitution (1st Amendment) * Section 241 of Title 18, (CONSPIRACY AGAINST RIGHTS) civil rights conspiracy statute. *The Americans With Disabilities Act (ADA) found at 42 U.S.C. 12101-12213 (As it protects those incorrectly perceived with disabilities, too, and those injured on the job). 7. Civil Rights Act of 1866 (Section 1981). * The Civil Rights Act of 1866 (Section 1981, United States Code)

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* George J. Austin, esq. (TBA), is a citizen of the State of *(name)* California.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) Tesla,, is incorporated under the laws of the State of (name) Delaware, and has its principal place of business in the State of (name) California.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

(See Statement of Claim for a more complete explanation, but simply the amount is partially derived from loss and stolen wages, job opportunity of \$60-\$100K, equity ownership from hiring and performance benefits, compensatory and punitive damages from violations below)

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See attached - Statement of Claim.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Damages from workplace defamation per se (which are presumed) resulting in potential wrongful termination on an \$60-\$100k a year job opportunity (from salary alone), not including benefits, company ownership through standard pay and incentive opportunities. Lost and stolen wages through a variety of wage theft mechanisms. Series of defamation, slanders and conspiracy have led to a host of damages and are presently continuing. Damages in the form of compensatory and punitive to be determined by finder of fact, and through discovery process. Subpoena for Business Bank records to trace checks path & to hold accountable (both/All ledgers).

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Immediate Injunction for payment of approx. 25K of already earned past due wages.
 Harm to plaintiff's property, business, trade, profession, or occupation;
 Expenses plaintiff had to pay as a result of the defamatory statements;
 Harm to plaintiff's reputation; ord. Shame, mortification, or hurt feelings. Assumed Damages Even if plaintiff has not proved any actual damages for harm to reputation or shame, mortification or hurt feelings, the law assumes that he has suffered this harm & even without evidence presented of damage, plaintiff is entitled to receive compensation for this assumed harm

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 1/31/20

Signature of Plaintiff

Printed Name of Plaintiff

George J. Austin, esq. (TBA)

B. For Attorneys

Date of signing: 1/31/20

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

III. Statement of Claim

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Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Brief overview:

COMPLAINT FOR DAMAGES FOR FRAUD, & DEFAMATION PER SE IN THE WORKPLACE RESULTING IN WRONGFUL TERMINATION, CONSPIRACY FOR WAGE THEFT, AND RETALIATION AGAINST PROTECTED ACTIVITIES (I.E. WHISTLEBLOWING TO CORRECT WAGE & RELATED WORKPLACE ISSUES) AND FOR PAIN AND SUFFERING DAMAGES, EMOTIONAL DISTRESS, MENTAL ANGUISH, INTENTIONAL DECEPTION, FRAUD, HUMILIATION, OPPRESSION, MALICE, AND TORMENT.

This cause of action is due to a collective pattern of lies, fraud, and Defamation(s) Per Se by those in authority at Tesla (and listed companies) that appear to result in a wrongful termination for a 60K-100K annual job salary. Although I have yet to receive confirmation in writing from HR (though I have requested multiple times), I do have a copy of the recording (see transcription & thumb drive with message) where I was told explicitly by a person of authority representing all organizations (Tesla/Balance/MVP) that my contract ended "'because' I was recording a supervisor" (which was not only false, but wasn't even inquired upon before taking negative action).

Their behaviors appear to magnify their already incurred legal (and other) liability, and are practicing retaliation against protected activities (i.e. whistle-blowing). In response to making the company aware, all the way up to the CEO, of practices that could result in liability for them due to their behaviors identified as wage theft, unsafe practices, creating a hostile environment, sabotaging upward career mobility, I appear to be retaliated against with workplace defamation per se, and potentially wrongful termination.

Laws:

Equal Pay Act/Wage Theft Prevention Act

The Equal Pay Act and Wage Theft Prevention Acts are designed to ensure everyone regardless of protected class status is paid fairly, and equally, for their work. Accordingly, if you a) were not paid equally, or accordingly, and b) you are in a protected category (in this case male and female), then you can utilize this statute. Similarly Wage Theft Prevention Act covers a variety of infractions that occur when workers do not receive their legally or contractually promised wages, or are denied of wages or employee benefits rightfully owed to an employee. Wage theft occurs when employers do not pay workers according to the law. Among the examples of wage theft are failing to pay overtime, illegal deductions in pay, paying less than minimum wage, not paying workers overtime, not allowing workers to take meal and rest breaks, or taking workers' tips, the

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misclassification of employees as independent contractors, forcing employees to work "off the clock", not paying annual leave or holiday entitlements, or simply not paying an employee at all..

29 CFR § 1620.1 - Basic applicability of the Equal Pay Act.

§ 1620.1 Basic applicability of the Equal Pay Act.

(a) Since the Equal Pay Act, 29 U.S.C. 206(d) (hereinafter referred to as the EPA), is a part of the Fair Labor Standards Act, 29 U.S.C. 201, et seq. (hereinafter referred to as the FLSA), it has the same basic coverage as the FLSA with two principal exceptions:

(1) The EPA applies to executive, administrative, and professional employees who are normally exempted from the FLSA for most purposes by section 13(a)(1) of that statute, and

(2) The EPA covers all State and local government employees unless they are specifically exempted under section 3(e)(2)(C) of the FLSA.

(b) The EPA does not apply where the employer has no employees who are engaged in commerce or in the handling of goods that have moved in commerce and the employer is not an enterprise engaged in commerce or in the production of goods for commerce.

(c) Men are protected under the Act equally with women. While the EPA was motivated by concern for the weaker bargaining position of women, the Act by its express terms applies to both sexes.

(d) Most employees of the United States Government, as described in section 3(e)(2) (A) and (B) of the FLSA, are covered by the EPA. Accordingly, these interpretations and principles may generally be applied to Federal sector employment.

§ 1620.33 Recovery of wages due; injunctions; penalties for willful violations.

(a) Wages withheld in violation of the Act have the status of unpaid minimum wages or unpaid overtime compensation under the FLSA. This is true both of the additional wages required by the Act to be paid to an employee to meet the equal pay standard, and of any wages that the employer should have paid an employee whose wages he reduced in violation of the Act in an attempt to equalize his or her pay with that of an employee of the opposite sex performing equal work, on jobs subject to the Act.

(b) The following methods are provided under sections 16 and 17 of the FLSA for recovery of unpaid wages: The Commission may supervise payment of the back wages and may bring suit for back pay and an equal amount as liquidated damages. The employee may sue for back pay and an additional sum, up to the amount of back pay, as liquidated damages, plus attorney's fees and court costs. The employee may not bring suit if he or she has been paid back wages in full under supervision of the Commission, or if the Commission has filed suit under the Act to collect the wages due the employee. The Commission may also obtain a court injunction to restrain any person from violating the law, including the unlawful withholding by an employer of proper compensation. A 2-year statute of limitations applies to the recovery of unpaid wages, except that an action on

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a cause of action arising out of a willful violation may be commenced within 3 years after the cause of action accrued.

(c) Willful violations of the Act may be prosecuted criminally and the violator fined up to \$10,000. A second conviction for such a violation may result in imprisonment.

(d) Violation of any provision of the Act by any person, including any labor organization or agent thereof, is unlawful, as provided in section 15(a) of the FLSA. Accordingly, any labor organization, or agent thereof, who violates any provision of the Act is subject to injunction proceedings in accordance with the applicable provisions of section 17 of the FLSA. Any such labor organization, or agent thereof, who willfully violates the provisions of section 15 is liable to the penalties set forth in section 16(a) of the FLSA.

[46 FR 4888, Jan. 19, 1981. Redesignated at 51 FR 29819, Aug. 20, 1986]

Wage Theft Prevention Act

On January 1, 2018, a new wage theft prevention act took effect in California that expands the authority of the state labor commissioner's enforcement. California law now disallows employers from firing workers or from taking any harmful actions against employees and job applicants who are exercising their rights under state employment laws.

Whistle-blower Laws (including Whistleblower Protection Act -WPA)

To be considered a whistleblower in the United States, most federal whistleblower statutes require that employees have reason to believe their employer violated some law, rule, or regulation; testify or commence a legal proceeding on the legally protected matter; or refuse to violate the law. On March 4, 2014, in *Lawson v. FMR LLC*, the U.S. Supreme Court ruled that this whistleblower protection applies not only to employees of publicly owned companies, but also to employees of privately owned contractors and subcontractors of public companies. Tesla, and the affiliated contracted, or subcontracted, companies (Balance/MVP) are all categorically under this law as Tesla is a publicly traded company.

The Whistleblower Protection Act (WPA) protects ... employees and applicants for employment who lawfully disclose information they reasonably believe evidences:

- a violation of law, rule, or regulation;
- gross mismanagement;
- a gross waste of funds;
- an abuse of authority;

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- or a substantial and specific danger to public health or safety.

Under the WPA, certain federal employees may not take or fail to take, or threaten to take or fail to take; any personnel action against an employee or applicant for employment because of the employee or applicant's protected whistleblowing. See 5 U.S.C. § 2302(b)(8).

Whistleblower Protection Enhancement Act (WPEA)

In 2012 Congress passed the WPEA into law to strengthen protections for Federal employees who report fraud, waste, and abuse. The WPEA clarifies the scope of protected disclosures and establishes that the disclosure does not lose protection because:

- the disclosure was made to someone, including a supervisor, who participated in the wrongdoing disclosed;
- the wrongdoing being reported has previously been disclosed;
- of the employee's motive for reporting the wrongdoing;
- the disclosure was made while the employee was off duty;
- the disclosure was made during the employee's normal course of duty, if the employee can show that the personnel action was taken in reprisal for the disclosure; or
- the amount of time which has passed since the occurrence of the events described in the disclosure.
- The WPEA protects disclosures that an employee reasonably believes are evidence of censorship related to research, analysis, or technical information that causes, or will cause, a gross government waste or gross mismanagement, an abuse of authority, a substantial and specific danger to public health or safety, or any violation of law. It expands the penalties imposed for violating whistleblower protections and establishes the position of Whistleblower Protection Ombudsman.

Enhancement of Contractor Protection from Reprisal (41 U.S.C. § 4712)

The National Defense Authorization Act of 2013 (NDAA), enacted a pilot program making it illegal for an employee of a Federal contractor, subcontractor, grantee, or subgrantee to be discharged, demoted, or otherwise discriminated against for making a protected whistleblower disclosure. In 2016, Congress amended the program to make those protections permanent.

Defamation Per Se

According to the US Constitution 1st. Amendment Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. However, Defamation is not protected by the First Amendment.

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When defamation occurs in speech it is referred to as slander and when in print it is called libel. Libel, as defined in Black's Law Dictionary, is "any publication that is injurious to the reputation of another." Slander, on the other hand, is the "speaking of base and defamatory words tending to prejudice another in his reputation, office, trade, business, or means of livelihood." The tort of Defamation is defined as a false statement, either spoken ('slander') or written ('libel') that injures someone's reputation.

Slander Per Se (or Defamation per se) is the legal doctrine that there are certain statements which are so inherently defamatory and libelous, that damage to a plaintiff's reputation will be presumed and they will not need to prove damages. California law has a broad definition of "per se" defamation. It consists of anything that is damaging on its face without further explanation. Most "per se" cases occur when someone falsely accuses another person of having committed a crime or being unfit to practice the person's trade, business, or profession.

The test for Defamation is basically is a statement a) False and b) Harmful.

To prove prima facie defamation, a plaintiff must show four things:

- 1) a false statement purporting to be fact;
- 2) publication or communication of that statement to a third person;
- 3) fault amounting to at least negligence; and
- 4) damages, or some harm caused to the person or entity who is the subject of the statement.

According to the Judicial Council of California Civil Jury Instructions (2017 edition) Defamation per se has a few Essential Factual Elements. To establish this claim, plaintiff must prove all of the following:

1. That Defendant(s) made one or more statement(s) to a person/persons other than the plaintiff;
2. That this person/these people reasonably understood that the statement(s) was/were about plaintiff
3. That this person/these people reasonably understood the statement(s) to mean that for defamation per se for example, "plaintiff had committed a crime, or was crazy, or had a medical issue, etc., falsely";
4. That defendant(s) failed to use reasonable care to determine the truth or falsity of the statement(s).

Conspiracy

According to 18 U.S. Code § 241. Conspiracy against rights "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

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They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

Similarly, A civil conspiracy or collusion is an agreement between two or more parties to deprive a third party of legal rights or deceive a third party to obtain an illegal objective[1] A conspiracy may also refer to a group of people who make an agreement to form a partnership in which each member becomes the agent or partner of every other member and engage in planning or agreeing to commit some act. It is not necessary that the conspirators be involved in all stages of planning or be aware of all details. Any voluntary agreement and some overt act by one conspirator in furtherance of the plan are the main elements necessary to prove a conspiracy. A conspiracy may exist whether legal means are used to accomplish illegal results, or illegal means used to accomplish something legal. Even when no crime is involved, a civil action for conspiracy may be brought by the persons who were damaged.

In the law of tort, the legal elements necessary to establish a civil conspiracy are substantially the same as for establishing a criminal conspiracy, i.e. there is an agreement between two or more natural persons to break the law at some time in the future or to achieve a lawful aim by unlawful means. The criminal law often requires one of the conspirators to take an overt step to accomplish the illegal act to demonstrate the reality of their intention to break the law, whereas in a civil conspiracy, an overt act towards accomplishing the wrongful goal may not be required.

According to the American Bar - Civil conspiracy claims are a powerful tool for plaintiffs, particularly consumer plaintiffs. A successful civil conspiracy claim permits recovery from every participant in a wrongful act, regardless of whether or not that participant was a direct perpetrator of the act or the degree of its activity. Aside from the ominous tone of a conspiracy claim, the glamour of a conspiracy claim to plaintiffs is that it opens the door to total recovery from supplemental sources that may have deeper pockets or higher policy limits, or both, than the direct perpetrators of the wrongful act. To obtain the full gamut of damages from these peripheral sources, a plaintiff need only prove the amorphous elements of a conspiracy claim: (1) there was an agreement between two or more persons to commit a tortious or unlawful act (or lawful act by unlawful means); (2) an overt act in furtherance of the agreement by any conspirator; and (3) damages.

(Incorrectly perceived, Disability, or temporary disability from Job related injury):

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According to The Americans With Disabilities Act (ADA) found at 42 U.S.C. 12101-12213 (As it protects those incorrectly perceived with disabilities, too). 7. Civil Rights Act of 1866 (Section 1981), it is illegal to discriminate on these basis (and causes of action are available even to those incorrectly perceived with such).

42 U.S. Code § 12101 states " (a)FindingsThe Congress finds that--

- (1)physical or mental disabilities in no way diminish a person's right to fully participate in all aspects of society, yet many people with physical or mental disabilities have been precluded from doing so because of discrimination; others who have a record of a disability or are regarded as having a disability also have been subjected to discrimination;
 - (2)historically, society has tended to isolate and segregate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem;
 - (3)discrimination against individuals with disabilities persists in such critical areas as employment, housing, public accommodations, education, transportation, communication, recreation, institutionalization, health services, voting, and access to public services;
 - (4)unlike individuals who have experienced discrimination on the basis of race, color, sex, national origin, religion, or age, individuals who have experienced discrimination on the basis of disability have often had no legal recourse to redress such discrimination;
 - (5)individuals with disabilities continually encounter various forms of discrimination, including outright intentional exclusion, the discriminatory effects of architectural, transportation, and communication barriers, overprotective rules and policies, failure to make modifications to existing facilities and practices, exclusionary qualification standards and criteria, segregation, and relegation to lesser services, programs, activities, benefits, jobs, or other opportunities;
 - (6)census data, national polls, and other studies have documented that people with disabilities, as a group, occupy an inferior status in our society, and are severely disadvantaged socially, vocationally, economically, and educationally;
 - (7)the Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals; and
 - (8)the continuing existence of unfair and unnecessary discrimination and prejudice denies people with disabilities the opportunity to compete on an equal basis and to pursue those opportunities for which our free society is justifiably famous, and costs the United States billions of dollars in unnecessary expenses resulting from dependency and nonproductivity.
- (b)PurposeIt is the purpose of this chapter--
- (1)to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities;

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- (2) to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities;
- (3) to ensure that the Federal Government plays a central role in enforcing the standards established in this chapter on behalf of individuals with disabilities; and
- (4) to invoke the sweep of congressional authority, including the power to enforce the fourteenth amendment and to regulate commerce, in order to address the major areas of discrimination faced day-to-day by people with disabilities.

Civil Rights

According to the Civil Rights Act of 1866 (42 U.S. Code § 1981) Equal rights under the law

" All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

(b) "Make and enforce contracts" defined For purposes of this section, the term "make and enforce contracts" includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.

(c) Protection against impairment

The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under color of State law."

GINA (Genetic Information Nondiscrimination ACT).

According to Genetic Information Nondiscrimination Act (GINA) at 42 U.S.C. 2000ff and following prohibits using a person's genetic information as the basis for discrimination.

According to the GINA act " (4) Genetic information.--

(A) In general.--The term "genetic information" means, with respect to any individual, information about--

- (i) such individual's genetic tests,
- (ii) the genetic tests of family members of such individual, and
- (iii) the manifestation of a disease or disorder in family members of such individual.

(B) Inclusion of genetic services and participation in genetic research.--Such term includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by such individual or any family member of such individual.

(C) Exclusions.--The term "genetic information" shall not include information about the sex or age of any individual.

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(5) Genetic monitoring.--The term "genetic monitoring" means the periodic examination of employees to evaluate acquired modifications to their genetic material, such as chromosomal damage or evidence of increased occurrence of mutations, that may have developed in the course of employment due to exposure to toxic substances in the workplace, in order to identify, evaluate, and respond to the effects of or control adverse environmental exposures in the workplace.

(6) Genetic services.--The term "genetic services" means--

(A) a genetic test;

(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

(C) genetic education.

(7) Genetic test.--

(A) In general.--The term "genetic test" means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

(B) Exceptions.--The term "genetic test" does not mean an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes."

Facts:

This cause of action is due to a collective pattern of lies, fraud, and Defamation(s) Per Se by those in authority at the that appear to result in a wrongful termination for a 60K-100K annual job salary, not including benefits, or bonuses. Although, I have yet to receive confirmation in writing from HR though I have requested multiple times, I do have a copy of the recording (and have it in transcribed format as well) where I was told explicitly by a person of authority, Sandy Malloy (preserved recorded message left on voicemail) representing all organizations (Tesla/Balance/MVP) that my contract ended "'because' I was recording a supervisor" (making reference to California's two party consent policy **California** Law Penal Code § 632, enacted under the **California** Invasion of Privacy Act, and thus falsely accusing me of a crime without evidence or proper due diligence at any level). This has been the only substantive communication after that meeting from them.

Unfortunately for them, there's no evidence of such behavior, and was a false, and absolutely defamation per se, which had to go through multiple layers of the company before being passed to me. This was wrong period, but even more given the context, and consequences of such lies. The truth was Steve Anderson, Associate Manager, and Jose Mendiola, Supervisor, got caught lying and began becoming hostile when asked about the issue (in a retaliatory manner). Further, when they realized they were documented doing so, it appears someone concocted a lie to cover what they knew was illegal behavior. Steve Anderson tried to limit communications with Higher Ups including officers of the company, up to the CEO Elon Musk (but was protected communications, and activities, via Whistleblower Laws). Initially, I communicated up the chain of command because my questions were not being answered, nor problems solved at the lower levels. However,

III. Statement of Claim

Pg.9

(5) Genetic monitoring.--The term "genetic monitoring" means the periodic examination of employees to evaluate acquired modifications to their genetic material, such as chromosomal damage or evidence of increased occurrence of mutations, that may have developed in the course of employment due to exposure to toxic substances in the workplace, in order to identify, evaluate, and respond to the effects of or control adverse environmental exposures in the workplace.

(6) Genetic services.--The term "genetic services" means--

(A) a genetic test;

(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

(C) genetic education.

(7) Genetic test.--

(A) In general.--The term "genetic test" means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

(B) Exceptions.--The term "genetic test" does not mean an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes."

Facts:

This cause of action is due to a collective pattern of lies, fraud, and Defamation(s) Per Se by those in authority at the that appear to result in a wrongful termination for a 60K-100K annual job salary, not including benefits, or bonuses. Although, I have yet to receive confirmation in writing from HR though I have requested multiple times, I do have a copy of the recording (and have it in transcribed format as well) where I was told explicitly by a person of authority, Sandy Malloy (preserved recorded message left on voicemail) representing all organizations (Tesla/Balance/MVP) that my contract ended "'because' I was recording a supervisor" (making reference to California's two party consent policy **California** Law Penal Code § 632, enacted under the **California** Invasion of Privacy Act, and thus falsely accusing me of a crime without evidence or proper due diligence at any level). This has been the only substantive communication after that meeting from them.

Unfortunately for them, there's no evidence of such behavior, and was a false, and absolutely defamation per se, which had to go through multiple layers of the company before being passed to me. This was wrong period, but even more given the context, and consequences of such lies. The truth was Steve Anderson, Associate Manager, and Jose Mendiola, Supervisor, got caught lying and began becoming hostile when asked about the issue (in a retaliatory manner). Further, when they realized they were documented doing so, it appears someone concocted a lie to cover what they knew was illegal behavior. Steve Anderson tried to limit communications with Higher Ups including officers of the company, up to the CEO Elon Musk (but was protected communications, and activities, via Whistleblower Laws). Initially, I communicated up the chain of command because my questions were not being answered, nor problems solved at the lower levels. However,

once I realized something was wrong beyond that I wrote in terms of warning (whistleblowing) to help them avoid the liability they ended up multiplying via poor decision making, and lying (defamation per se).

There were no questions asked, just assumptions made. There was no HR follow up, nor process to determine truth from lies. What's even more ironic about that particular false accusation, and reasoning, is a) I was meeting with Vince Woodard a head of HR for a promotion, and in reference to issue of pay concern, with constant reassurance that it was only for that purpose b) that's what they as a company have been charged with doing, and it's public. "On April 19, 2017, Tesla factory workers filed unfair labor practice charges with the National Labor Relations Board, alleging that Tesla uses "illegal surveillance, coercion, intimidation and prevention of worker communications [...] in an effort to prevent or otherwise hinder unionization of the Fremont factory."

The issue with pay became more fully apparent after an initial set of questions, and evaluations around 'Kronos' which is Tesla's time/work management system, see Exhibits (A-B), and examinations of bank statements, payroll and tax documents (see Exhibits (C-D)). I noticed and communicated up the chain of command for the respective organizations (whistleblowing) about some unresolved, unexplained, stalled, and flat out fabricated discrepancies. In addition to the initial errors, when examining the pay sheets I noticed deeper, and larger issues. There were actually two ledgers assigned to my social security number, and made out to me, George J. Austin, from two separate locations, each with different checks #, and representing different transactions, unique identifiers, tracking features (see Exhibits C-D, H-K, & their check stubs, check #'s ledgers #, locations, etc.) yet I had only been receiving one set (with the missing value of approx. \$25,000 or more, over 22 checks). I actually didn't want to believe that they wouldn't be forthright, but their explanations kept breaking the rules/laws of logic, accounting, and basic common sense, (let alone the more complex) in addition to breaking the law (which is the reason I was whistleblowing). Fundamental questions are still unanswered, ignored, or alternatively the organization tried to present false, seemingly fraudulent explanations. For example:

- A) They said the two ledgers were identical transactions, but when I pointed out that a deposit was different in one ledger than the other, they first tried justifying by saying different tax amounts taken out in that system because it was outdated. However, when I explained that explanation wouldn't make sense because every transaction would have been off, not just that one they went silent (no answer - see Exhibit C-D, H-K)?
- B) They said the two ledgers represented the same check, but I asked why did they have different check numbers (no answer - see Exhibit C-D, H-K)?
- C) I asked for confirmation of them being the same transaction by providing bank records showing each unique check being deposited into which account (and then verifying my direct deposit info for each set of checks) - (again, no answer - see exhibit C-D, H-K)?

III. Statement of Claim

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Given the pattern with the companies (Tesla/Balance/MVP), of hiding information, lying directly, and creating unnecessary obstacles it appears a Civil Conspiracy (including use of threats, intimidation, retaliation, and apparent wrongful termination) was used to Commit Wage Theft by the listed organizations and individuals. They moved in tandem, and it appears, at different times, each spoke for the other, and were in agreement to do so conspiratorially. An apparent missing approximate 25-30K from my previously earned pay in addition to other forms of theft including stealing credit for work (i.e. Continuous Improvements) that results in promotion, indirect and direct financial benefits, and pay increases (including artificial overtime caps by Steve Anderson) as well as an opportunity to win a Tesla vehicle of value 60K-120K depending on model and included features (see Exhibits particularly E, and A-F). The opportunity to win the Tesla was part of the reason, outside of the companies focus on attendance, I was focused on correcting the systemic errors to reflect my perfect attendance (see Exhibits A-B)

This appears, in addition to other issues mentioned, 'retaliation' against protected activities (i.e. Whistleblowing exhibits A-K). Again, what's ironic is that I was communicating to prevent them from potentially incurring liability, but they responded with behavior that actually compounded their liability instead of correcting the issue(s). To add insult to actual physical injury I was also injured on the job, on Thanksgiving of 2019, while working overtime. The retaliatory behavior happened before I was able to obtain an MRI to ensure full health. The other behaviors creating a hostile work environment seemed only to emerge as a reaction to asking certain questions about pay & wage information which is why I mention them, but not as the primary claims. I checked-in with three people directly on this issue before deciding fully on what to do next - my previous Lead, my previous Supervisor (who has since been promoted to an executive level position), and a previous Vice President of the Company about the situation. The lead said (in addition to the ridiculousness of the false claim) that they (leadership) used to record people all the time. My previous supervisor said (after giving a basic explanation), that it looks like I should sue (paraphrase), and the VP of the company said directly I should have already been a Supervisor or lead. Given the situation and the companies unwillingness to address the issue it appears suit was the best way forward (even though not necessarily my preferred method).

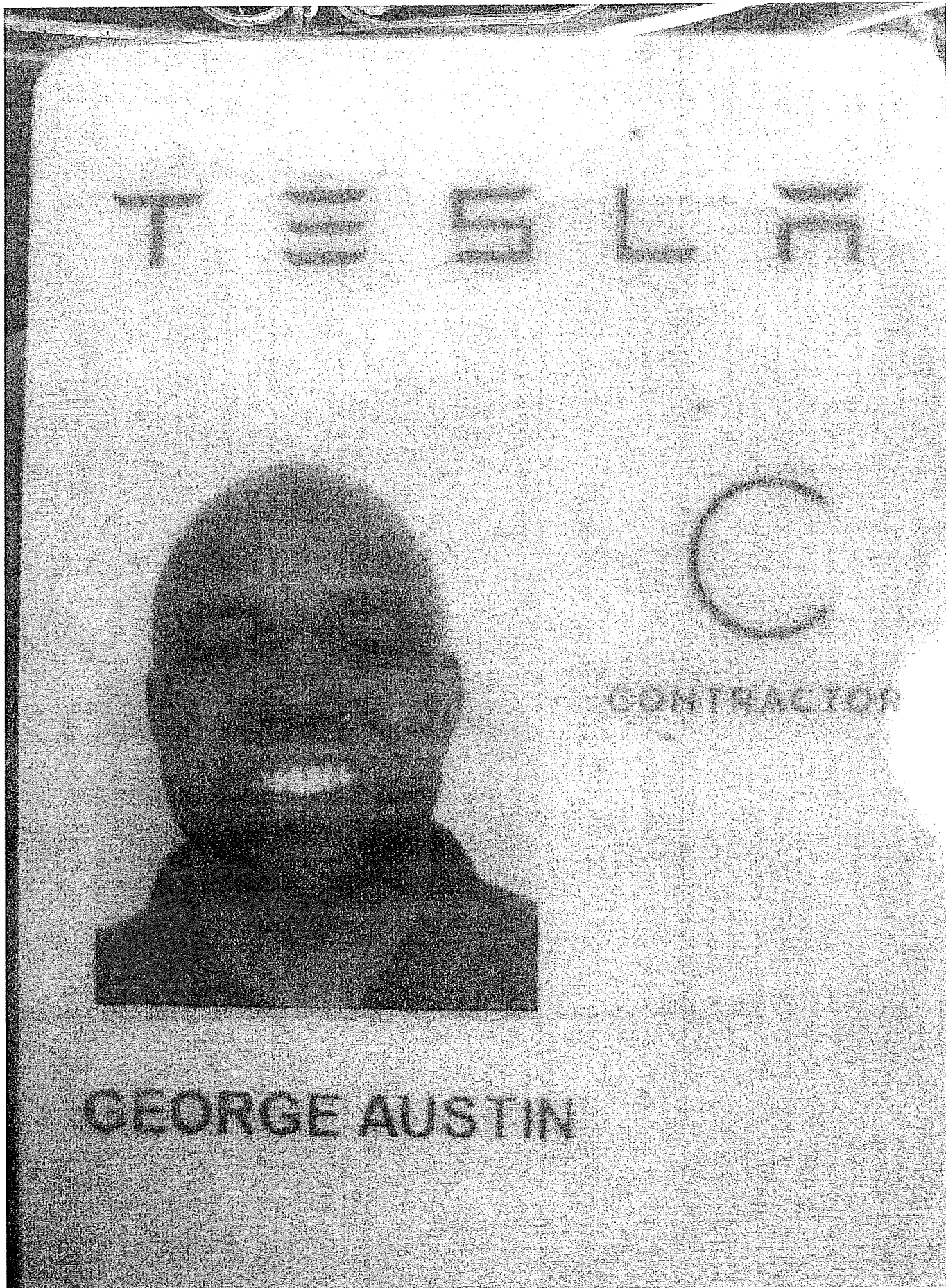
The particular violation played out as:

- a) workplace defamation resulting in potential wrongful termination on an \$60-\$100k a year job opportunity (from salary alone), not including benefits, company ownership through standard pay and incentive opportunities,
- b) wrongful termination based on false & defaming premises
- c) wage theft in a variety of ways (including approx., \$25,000.00) of previously earned wages, and
- d) retaliation, hostile work environment & Institutional Fraud in attempt to not correct pay, HR and payroll issues as the basis for wage theft and violations of Equal Pay Act

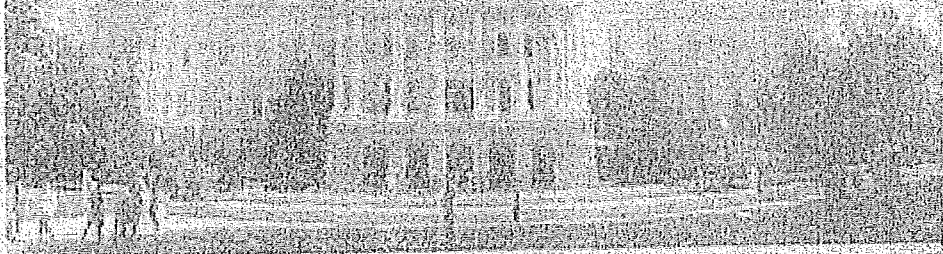
2327848E-DE84-4224-A8FC-0A3F1E3CBA1.jpeg







CALIFORNIA SENATE



EXPIRATION

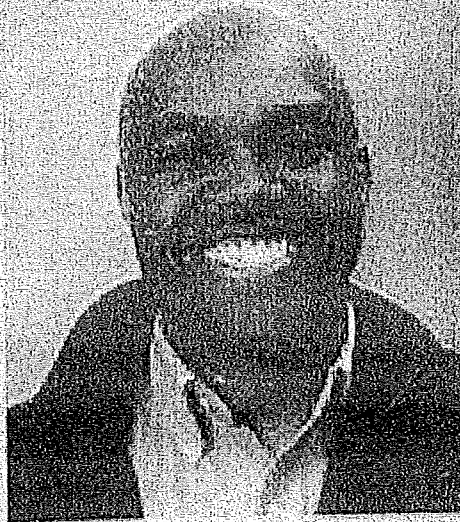
09/30/2013

Eye Color

Brown

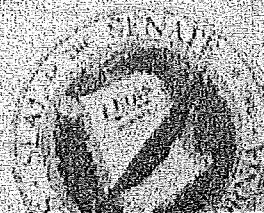
Height

6-0



Austin, George

Governance & Fin



SENATE GOVERNANCE & FINANCE COMMITTEE
Senator Lois Wolk, Chair

BILL NO: AB 458
AUTHOR: Wieckowski
VERSION: 2/19/13
CONSULTANT: Austin

HEARING: 8/14/13
FISCAL: Yes
TAX LEVY: Yes

INCOME TAXES: DEDUCTIONS: PUNITIVE DAMAGES

Repeals authority to deduct punitive damages on personal and corporate tax filings.

Background and Existing Law

Current law authorizes individuals and corporations to file tax deductions for the payment of monetary damages in legal cases. Under existing law plaintiffs can seek "punitive" or "exemplary" damages in legal cases where the defendant is guilty of "oppression, fraud, or malice." "Malice" means conduct which is intended by the defendant to cause injury or despicable conduct that is carried on with a willful and conscious disregard of the rights or safety of others. "Oppression" means despicable conduct that subjects a person to cruel and unjust hardship in conscious disregard of that person's rights. "Fraud" means an intentional misrepresentation, deceit, or concealment of a material fact known to the defendant with the intention on the part of the defendant of thereby depriving a person of property or legal rights or otherwise causing injury.

California courts hold that punitive damages punish the defendant and deter similar conduct. The goal of deterrence of similar conduct is both for the specific defendant who may repeat or continue offensive behavior and to other potential parties who may commit similar offenses. Punitive damages are not intended to compensate a plaintiff unlike compensatory damages, which are intended for compensation.

The Book of Approved Jury Instructions (BAJI) provides that a jury should consider two factors to determine the amount of punitive damages to award:

- The reprehensibility of the defendant's conduct.
- The amount of punitive damages, which will have a deterrent effect on the defendant in the light of defendant's financial condition.

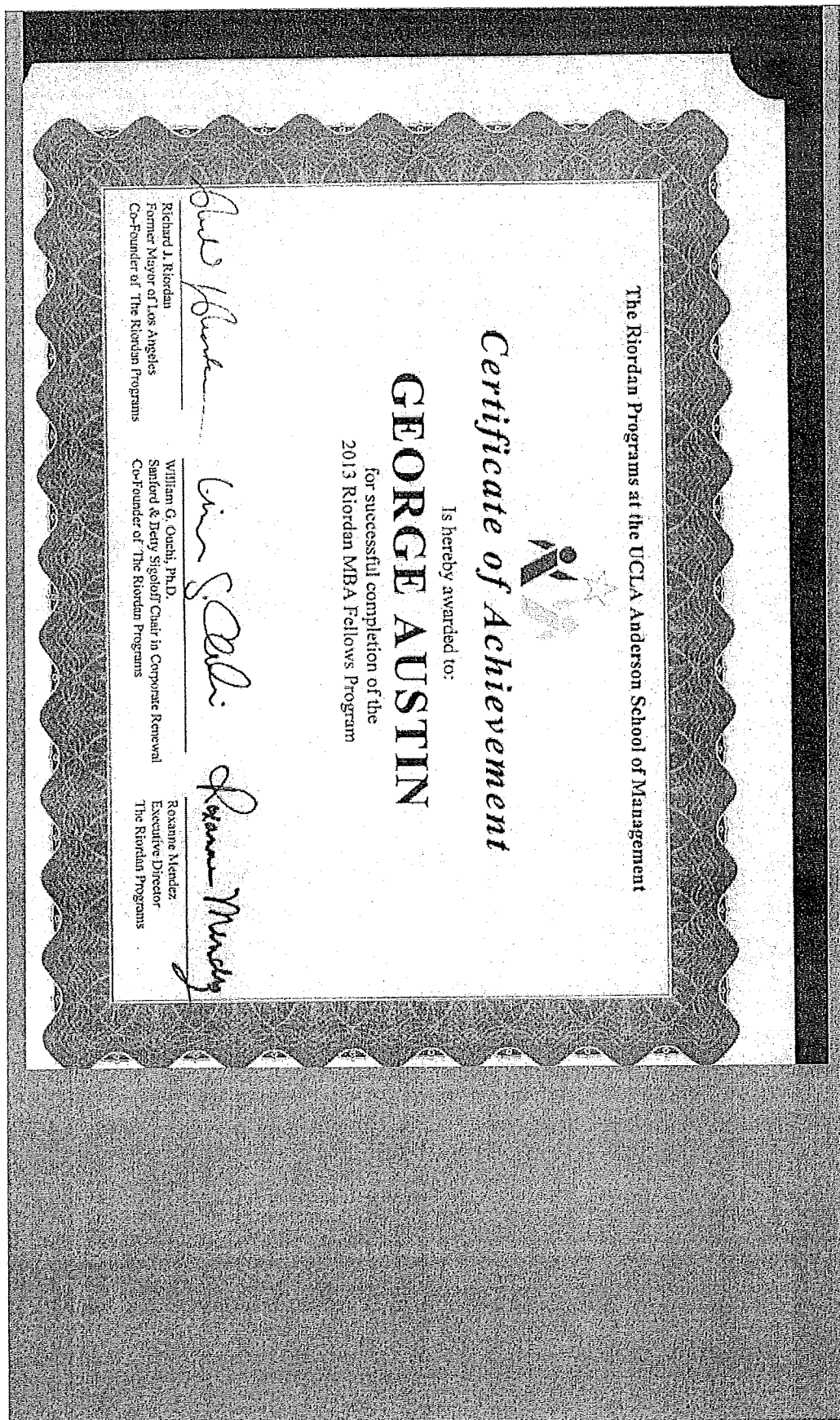
In addition, a defendant may ask that a jury be instructed to consider that the punitive damages bear a reasonable relation to the injury, harm, or damage actually suffered by the plaintiff.

AT&T LTE

1:57 PM

53%

mail-attachment.googleusercontent.com



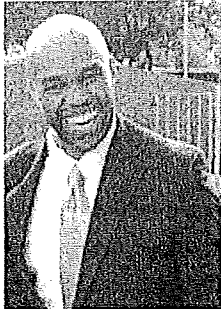
AT&T LTE

10:00 AM

54%

mail-attachment.googleusercontent.com

2012-13
CALIFORNIA SENATE FELLOWS

**About you**

Name: George Austin

Hometown: [REDACTED]

Hobbies/Interests: Basketball, Golf, Boxing, Cooking, Kayaking, Travel

Favorite book(s)/movie(s)/TV show(s)/music: Finding Forester, Goodwill Hunting, Godfather Trilogy, Coming to America, The Golden Child, Batman Begins, Dark Knight, Dark Knight Rises, Hoop Dreams, Above the Rim, Wedding Crashers, Lord of the Rings. 1 & 2, Matrix 1 & 2, Ray, Hangover

The West Wing, Doug, Bloomberg Enterprise, Charlie Rose, The Mentor, Bloomberg Game Changers, Cosby Show, The Wire, Martin

Gospel, R & B, Hip-Hop, Country

The Alchemist, Purpose Driven Life, Autobiography of Malcolm X, Developing the Leader Within – John C. Maxwell, How to Win Friends and Influence People Dale Carnegie, Think and Grow Rich Napoleon Hill, 7 Habits of Highly Effective People

Birthday: April 12

3 strange/unique but interesting facts about you:

1. Up until I was sixteen my shoes size was always 1 or 2 sizes larger than my age (i.e at twelve years old I wore a size fourteen)
2. In one day I met Oprah Winfrey, Prince, Usher, Anthony Hamilton and Barack Obama
3. I've lived in four states

Education

College/University: University of California, Berkeley

Degree: BA

Major: Sociology

Advanced degrees: Georgetown Law School- JD (deferred, begin 2013)

2012-13
CALIFORNIA SENATE FELLOWS

Goals & Work/Relevant Experience**Activities or Work Experience after College:**

- Riordan MBA Fellows Anderson School of Business (UCLA)
- Chartered Financial Analyst Level 1 Candidate December 2012
- Chartered Financial Analyst Society Scholarship Recipient
- HAAS School of Business, Arts, Science & Engineering Program (Berkeley)

Occupational Goals/Interests: Business/ Law/Entrepreneurship/Finance/Education

Policy Interests: Economy, Finance, Appropriations, Energy, Transportation, Economic Development, Trade (International and Domestic), Tax, Banking, Insurance




RULES COMMITTEE



RESOLUTION

By
President pro Tempore of the Senate Darrell Steinberg
RELATIVE TO COMMENDING

George Austin

WHEREAS, George Austin was selected from a highly competitive group of outstanding college and university graduates from California and throughout the nation, and was appointed a 2012-2013 California Senate Fellow; and

WHEREAS, George Austin, from ██████████, graduated from the University of California, Berkeley, with a Bachelor of Arts degree in Sociology; and

WHEREAS, Through his service in the Senate Committee on Governance and Finance, George Austin had the unique opportunity of acquiring a deeper understanding of the legislative process and public policy formation, while also providing assistance to Senate Members, legislative committees, and their constituencies; and

WHEREAS, The California Senate Fellows program, established in 1973 and sponsored jointly by the Senate and California State University, Sacramento, enables 18 individuals to become full-time Senate staff members in the State Capitol for 11 months and receive six units of university graduate credit; and

WHEREAS, As a result of his outstanding service as a Senate Fellow, George Austin is better equipped to provide valuable leadership and contributions to educational institutions, local, regional, state, and federal governments, and professional, business, and community endeavors in the State of California and the nation; now, therefore, be it

RESOLVED BY THE SENATE RULES COMMITTEE, That George Austin, a 2012-2013 California Senate Fellow, be commended for his exemplary service on behalf of the Members of the Senate and extended best wishes for every success in his future endeavors.

Senate Rules Committee Resolution No. 24 adopted this 12th day of August, 2013

Darrell Steinberg
CHAIR
Senators For Citizens



Libertatem Tuam



Exhibit A

George Austin <gaustin07@gmail.com>

(Print and Include in Complaint) Fwd: Kronos Maintenance

1 message

George Austin <gaustin07@gmail.com>

Sun, Feb 2, 2020 at 4:34 PM

To: George Austin <gaustin07@gmail.com>

----- Forwarded message -----

From: George Austin [C] <geaustin@tesla.com>

Date: Friday, November 15, 2019

Subject: Re: Kronos Maintenance

To: IT Answers <itanswers@tesla.com>

Cc: Armando Rodriguez <arodriguez@tesla.com>, Steve Andersen <standersen@tesla.com>, Elisa Lopez-Minera <elopezminera@tesla.com>, Daniel Garcia <danigarcia@tesla.com>

Good Afternoon, IT Answers

I wrote this message to Armando (cc'd here), but haven't heard back, yet, so I figured I should reach out to you as well.

I hope this finds you phenomenally well and blessed (as am I).

(Armando) mentioned reaching out in case there was any issues around pay - I remembered there were some discrepancies I wanted to look further into, and double check accuracy.

How do I log into Kronos - is the system down or am I approaching through the wrong link (below)?

<https://tesla.kronos.net/wfc/applications/navigator/Navigator.do>

Thank you,

George J. Austin, esq. (TBA).

Lead Attorney/Advocate (and Recipient of Financial Award) Multibillion Dollar Privacy/Torts Lawsuit. (In Progress 9th Circuit -Oakland/SF).
Georgetown Law School, Washington DC (3L)
(ML4T) Management Leadership 4 Tomorrow, MBA Prep Fellow (In Progress) -Founded in Harvard Business School)
UC Berkeley, Undergraduate Alum
California State Senate, Consultant/Capital Fellow/Senate Fellow, Winner, Alum (Top 10 out of 821 according to Forbes; Vault).
UCLA Riordan MBA Fellow, Alum
Housing Commissioner, and Finance Committee Member, Bay Area Housing Commission

From: IT Answers <itanswers@tesla.com>
Sent: Wednesday, October 30, 2019 1:25:11 PM
Subject: Kronos Maintenance

TESLA | IT ANSWERS

IT Notice - Kronos Maintenance

Affected System(s): Kronos (<https://tesla.kronos.net>)

Affected Users: All Kronos users

Details: IT will be performing maintenance on Kronos during the below timeframes. The Kronos application, timecard access and time off request features will be intermittently unavailable during the 4-hour maintenance window.

***Time Clocks will not be affected by this activity, please continue to Punch In/Punch Out.**

Maintenance Date and Duration:

Location	Local Date	Local Time	Time Zone
North America	Start: Friday, November 1	9:00PM	PDT
	End: Saturday, November 2	1:00AM	
APAC	Start: Saturday, November 2	12:00PM	CST
	End: Saturday, November 2	4:00PM	
EMEA	Start: Saturday, November 2	5:00AM	CET
	End: Saturday, November 2	9:00AM	

ITanswers.tesla.com | +1 650-681-5555



Exhibit B

George Austin <gaustin07@gmail.com>

(Print and Include in Complaint) Fwd: Kronos Follow Up & Thank you for positive feedback

1 message

Sun, Feb 2, 2020 at 4:32 PM

George Austin <gaustin07@gmail.com>

To: George Austin <gaustin07@gmail.com>

----- Forwarded message -----

From: George Austin [C] <geaustin@tesla.com>

Date: Friday, December 27, 2019

Subject: Re: Kronos Follow Up & Thank you for positive feedback

To: Jose Mendola <jomendola@tesla.com>, Steve Andersen <standersen@tesla.com>

Cc: Bert Bruggeman <bbruggeman@tesla.com>, Joseph Genson <jogenson@tesla.com>

Good Morning, Jose

I hope this finds you phenomenally well and blessed beyond measure (as am I).

Thank you for the follow up, reassurance, positive feedback on work performance, and conversation/explanation.

Were you able to find out how to make notation on Kronos so that it's clear that those days were not missed, and were indeed worked (or instructed not to come in by leadership - see attached)?

I want to make sure that the Kronos accurately reflects perfect attendance and one excused/justified absence due to illness, for purposes of accuracy, promotions, and drawings/raffles, or competitions, etc.

Regarding the volunteer dates, thank you and they were all prescheduled, and pre-approved, from the respective AM, was I given full credit for (over)time worked as well? Is there a link with the pay policies just so I can make sure and better familiarize myself, and hopefully have less questions?

Also, how does the conversion process normally work? When conversing with my recruiter for Tesla she asked some good questions about that process that I wasn't fully sure how to answer?

Lastly, is there anything in particular beyond the email for volunteer time with deliveries needed beyond email for addition/credit in my timesheet/Kronos?

Thank you,

George J. Austin, esq. (TBA).

Lead Attorney/Advocate, (and Recipient of Financial Award - when I win) Multi-billion Dollar Lawsuit, (In Progress 9th Circuit -Oakland/SF).
Georgetown Law School, Washington DC (3L, on sabbatical).

(ML4T) Management Leadership 4 Tomorrow, MBA Prep Fellow (In Progress) -Founded in Harvard Business School)

<https://mail.google.com/mail/u/0?ik=8f8b54061b&view=pt&search=all&permthid=thrpad-a%3Ammiair-3642472191811536515&siml=msg-f%3A1657473661558805705>

2/3/2020

Gmail - (Print and Include in Complaint) Fwd: Kronos Follow Up & Thankyou for positive feedback

UC Berkeley, Undergraduate Alum
California State Senate, Consultant/Capital Fellow/Senate Fellow, Winner, Alum (Top 10 out of 821 according to Forbes; Vault),
UCLA Riordan MBA Fellow, Alum
NAACP, National Representative, Youth & College, Alum
NAACP Local President, Youth & College, Alum
UC Berkeley Admissions Committee, Alum
Housing Commissioner & Finance Committee Member, Bay Area, California, Alum
Founder, Stiles Hall Intern Program with Morrison & Foerster Law Firm, San Francisco, CA
Director, & Consultant, Managed 13 direct reports, and 100+ volunteers, Stiles Hall's Experience Berkeley, Alum
UCLA Law Fellow, Alum

Excuse change in font, errors, duplicates, and typos, sent from mobile device

From: Jose Mendiola <jomendiola@tesla.com>
Sent: Sunday, December 15, 2019 5:49:23 AM
To: George Austin [C] <geaustin@tesla.com>; Steve Andersen <standersen@tesla.com>
Subject: RE: Kronos

George,

I have now been handed your Kronos timecard. Let's discuss these at the desk.

The unscheduled dates, including volunteer dates, will not count against you. At the moment there are numerous associated with incorrect scheduled work times I am working to adjust them all.

Regarding the time punched late out, each supervisor goes through their teams Kronos and either makes a note on an extremely late out or marks it as excused.

As for dates mentioned, I can answer some questions at the desk while we search. Although most of these dates are beyond our previous approved timecards. If we do find any issues or discrepancies we can follow up with your agency.

Below I have answered a few of your concerns in red.

However I see there are four (4) on Kronos - (7/22, 7/23, 7/26, 9/1)

The first two dates I in fact worked (7/22, 7/23) - was I credited with the right pay for those hours worked in training?

The next two dates I was told I wasn't supposed to work - the first was an off day after training ended (7/26), and the second (9/1) Mozell and Daniel said we were off after I double checked with them (see attached message)? Was there an error in the system?

On 7/24 - It shows missed punch? (Not sure if that was a technical or some other issue, but was I paid the correct amount for the work day)?

On 8/21 was the only day I missed due to illness - I believe it shows as an excused absence, but want to double check that there are no issues there either.

On 9/1 shows unexcused, but Mozell, and Daniel, confirmed via text that we were off that day? - see attached

On 9/27 & 9/28 - is the information, correct? - I can't fully tell it seems like there might be some errors there, but can't fully tell from the formatting?

9/15 & 9/30 need to be corrected. - It says late in, but had a conversation with Mozell about that should have corrected. I've Never been late - the only time that was an issue is because I thought we had a 5 minute grace period (6:25-6:30) to punch in, because I was told we did, and we punched out at 30 after. However once Mozell explained differently I always came on, or before 25 after (and he said he would correct the previous - I see two that were either electronic errors or didn't receive correction). This is correct and you have not been considered late.

Punch-card, Tech issue, on 12/10/19 - I know punched in and out on time, per usual, but for whatever reason it didn't register. I would need a follow up email specifically explaining these missing punches, please.

Just to clarify - from my understanding I shouldn't have any issues. I've never had an altercation or argument, and went out of my way to avoid, or solve proactively, even any situation that could be perceived as such. I've never had any relationships with anyone I work with other than a professional one, intentionally, because I've observed how 'messy' that can get. I appreciate your honesty. To my knowledge you have been a cordial and professional team member.

I can't tell fully from the system here, but what is my accumulated time off? I don't see a number?

Also, to double check - I won't start earning PTO until switching status, correct? Correct

2/3/2020

Gmail - (Print and Include in Complaint) Fwd: Kronos Follow Up & Thank you for positive feedback

On a slightly different note - My leg/knee is still a bit sore from injury at work on 11/28, and the pain level has somewhat increased so am going back to ask them to set up an Xray, this week, so that I can make sure there's been no other undetected injury that could cause long term harm. My calf muscle tightens up periodically from a basketball injury when I was younger (I tore my calf muscle from over-training via plyometrics/explosive exercises), and learned from that experience to ensure proper examination, diagnosis and recovery.

Lastly, I will still need an amended station rotation schedule, where I can sit to take pressure of the knee as the doctor recommended, similar to present, until fully healed and cleared.

We will still keep accommodating for your work status.

From: George Austin [C] <geaustin@tesla.com>
Sent: Sunday, December 15, 2019 3:26 AM
To: Steve Andersen <standersen@tesla.com>; Bert Bruggeman <bbruggeman@tesla.com>
Cc: Daniel Garcia <dangarcia@tesla.com>; Jose Mendola <jomendola@tesla.com>; Joseph Genson <jogenson@tesla.com>; Armando Rodriguez <arodriguez@tesla.com>
Subject: Re: Kronos

Good Evening/Morning, Steve

I appreciate your response, and followed up with you as you asked.

Which is the lowest possible level (so I can most effectively solve the issue at hand)?

I included Bert (and others included here) because I had previously discussed different aspects with them, or assumed they should know.

Is there a way for you to correct those errors directly, or should I email the Kronos folk, too (via there message option)?

Thank you,

George J. Austin, esq. (TBA).

Lead Attorney/Advocate, (and Recipient of Financial Award - when I win) Multi-billion Dollar Lawsuit, (In Progress 9th Circuit -Oakland/SF),
Georgetown Law School, Washington DC (3L, on sabbatical).
(ML47) Management Leadership 4 Tomorrow, MBA Prep Fellow (In Progress) -Founded in Harvard Business School)
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NAACP, National Representative, Youth & College, Alum
NAACP Local President, Youth & College, Alum
UC Berkeley Admissions Committee, Alum
Housing Commissioner & Finance Committee Member, Bay Area, California, Alum
Founder, Stiles Hall Intern Program with Morrison & Foerster Law Firm, San Francisco, CA

STOCKTON

Check #	Check Date	Gross
80031370	1/24/2020	\$504.84
80030470	1/17/2020	\$1,229.02
80029061	1/10/2020	\$679.67
80027555	1/3/2020	\$1,264.87
3483327	12/27/2019	\$760.24
3481515	12/20/2019	\$1,016.26
3479632	12/13/2019	\$762.43
3477680	12/6/2019	\$1,329.76
3475783	11/29/2019	\$760.86
3473963	11/22/2019	\$1,266.44
3472169	11/15/2019	\$1,260.79
3470356	11/8/2019	\$1,369.89
3468641	11/1/2019	\$1,012.19
3466956	10/25/2019	\$1,018.77
3465293	10/18/2019	\$759.61
3463675	10/11/2019	\$1,627.59
3462133	10/4/2019	\$1,636.99
3460522	9/27/2019	\$1,020.34
3458862	9/20/2019	\$756.48
3457097	9/13/2019	\$1,018.46
3455464	9/6/2019	\$506.72
3453745	8/30/2019	\$1,017.83
3452073	8/23/2019	\$764.00
3450389	8/16/2019	\$765.57
3448783	8/9/2019	\$761.81
3447193	8/2/2019	\$1,277.09

Thank you,

George J. Austin, esq. (TBA).



Exhibit E

George Austin <gaustin07@gmail.com>

(Print & Include Complaint) Fwd: CI Checks & Mozell, previous supervisor, Re: Safety Improvement Question & Suggestion

1 message

Sun, Feb 2, 2020 at 4:36 PM

George Austin <gaustin07@gmail.com>
To: George Austin <gaustin07@gmail.com>

----- Forwarded message -----

From: **George Austin** <gaustin07@gmail.com>
Date: Thursday, January 16, 2020
Subject: CI Checks & Mozell, previous supervisor, Re: Safety Improvement Question & Suggestion
To: ilangtry@tesla.com, ajanevsk@tesla.com, jesiron@tesla.com
Cc: Jose Mendiola <jomendiola@tesla.com>, Joseph Genson <jogenson@tesla.com>, Steve Andersen <standersen@tesla.com>, Daniel Garcia <danigarcia@tesla.com>, Freddy Rivera <frivera@tesla.com>, Jerome Guillen <jerome@tesla.com>, Brandie To <bto@tesla.com>, woodard@tesla.com

Good Evening, Safety & CI Team

I hope this finds you phenomenally well, and blessed beyond measure (as am I).

I checked in with my previous supervisor about a few things including seeing me lead and complete a previous CI (the original idea for the sharp edge guards with very limited material, and support) for which I was denied credit (already completed). See attached, as I may need to sue due to a variety of issues (not just that) including wage theft, sabotage, hostile work environment, and retaliation, etc. (see attached).

Is there a way you can confirm that my CIs were submitted (at the Supervisor level), about 16, and accepted (See attached)?

I'm having some IT trouble at present but would like to check with you directly?

If you cannot directly check can you refer to an email who can?

Thank you,

George J. Austin, esq. (TBA).

On Saturday, January 11, 2020, George Austin [C] <geaustin@tesla.com> wrote:
Good Evening, Safety Team

I hope this finds you phenomenally well and blessed beyond measure (as am I).

I have another idea to potentially improve the safety in this zone as a continuous improvement.

Due to an injury at work I've been primarily stationed at RSP1 LH. While here I've noticed many things one of which is a safety and fire hazard, potentially.

While the welding process happens at this station fairly routinely sparks will fly out of the open areas hot and far enough to burn or potentially create a fire hazard given the right combination of circumstances/materials.

I've also previously observed this at Station 270 Left hand side.

Are you the persons I should contact to expand the protective shields/curtains on some areas, but not others (see pictures attached)?

Also, not sure if those alone would cover the risks of fire injury, etc., or if the masks that are used at 110 would also be a helpful addition?

What's the best way to make that happen?

Thank you,

George J. Austin,

From: George Austin [C] <geaustin@tesla.com>

Sent: Sunday, December 29, 2019 4:47:26 AM

To: Ian Langtry <ilangtry@tesla.com>; Aleksandra Janewska <ajanevska@tesla.com>; Jessica Siron <jesiron@tesla.com>

Cc: Jose Mendiola <jomendiola@tesla.com>; Joseph Genson <jogenson@tesla.com>; Steve Andersen <standersen@tesla.com>; Fred Bumagat <fbumagat@tesla.com>; Daniel Garcia <danigarcia@tesla.com>; Bert Bruggeman <bbruggeman@tesla.com>

Subject: Re: Safety Improvement Question & Suggestion

Good evening, Aleks, Ian, and Jessica

Thank you for your swift and welcoming/open reply. You are appreciated.

I can share my thoughts in writing 1st and then if you think it would be advantageous - It would be great to meet with you.

I had four fairly basic suggestions derived from observations and conversations with team members, and some from my own pains, bumps and bruises.

I know there are probably several other opportunities for improvement, but here are a quick four that I observed.

www.forbes.com/sites/alanohnsman/2019/03/01/tesla-safety-violations-dwarf-big-us-auto-plants-in-aftermath-of-musks-model-3-push/amp/

Safety notes:

- [1] It would appear something to smooth & cover Raised bolts or surfaces could help prevent trip and falls (or other injuries). Right now it is fairly easy to misjudge and potentially trip over those raised areas (I've personally done so a couple times). Especially with such a hard surface falling, on hard concrete, can potentially cause major damage/injuries. Jose (cc'd here) & I previously discussed (see attached photos)

- [2] A covering for sharp protruding corners particularly on the large cubes used to hold parts in the subassembly areas could help prevent injured lower

extremities. I've personally tried creating various ways to cover with tape, styrofoam & rubbery substances, but none seemed quite perfect with the materials available. It would seem some type of sleeve to cover and cushion could protect legs & knees from injury while walking by. - leg injuries account for..etc - I saw a few team members also attempt to solve this problem with available materials including Fred B. (Cc'd here) by trying to put (see attached photos)

- [3] Cushioned mats at each loading station to help take pressure off joints, knees, & feet. Constantly standing and moving on hard surface can prematurely wear down the joints and protective covering for the body (causing injury). The cushion can potentially preserve longevity and health of workers for better and more quality/highly trained output (with potentially less need for turnover/medical leave/workers comp for health reasons. (see attached photo)

- [4] Perhaps amended rules on standing sitting ratio to maximize productivity and longevity health-wise to be more in accord with ergonomic best practices. My understanding of the policy is one is generally required to stand when not on breaks unless injured. This should potentially be adapted to help prevent issues like plantar fasciitis & lower body ailments from developing. - (See link for description of problem & potential solutions - https://www.ccohs.ca/oshanswers/ergonomics/standing/standing_basic.html)

Also, as a quick aside do you know if the Tesla Health Center has an email?

Excuse the quick bullet points, but wanted to get a response to you quickly and thoughtfully.

What are your thoughts?

Thank you,

George J. Austin, esq. (TBA).

Lead Attorney/Advocate, (and Recipient of Financial Award - when I win) Multi-billion Dollar Lawsuit, (In Progress 9th Circuit -Oakland/SF), Georgetown Law School, Washington DC (3L, on sabbatical).

(ML4T) Management Leadership 4 Tomorrow, MBA Prep Fellow (In Progress) -Founded in Harvard Business School) UC Berkeley, Undergraduate Alum California State Senate, Consultant/Capital Fellow/Senate Fellow, Winner, Alum (Top 10 out of 821 according to Forbes, Vault).

UCLA Riordan MBA Fellow, Alum NAACP, National Representative, Youth & College, Alum NAACP Local President, Youth & College, Alum UC Berkeley Admissions Committee, Alum Housing Commissioner & Finance Committee Member, Bay Area, California, Alum Founder, Stiles Hall Intern Program with Morrison & Foerster Law Firm, San Francisco, CA Director, & Consultant, Managed 13 direct reports, and 100+ volunteers, Stiles Hall's Experience Berkeley, Alum UCLA Law Fellow, Alum

Excuse change in font, errors, duplicates, and typos, sent from mobile device,

From: Ian Langtry <ilangtry@tesla.com>

Sent: Friday, December 27, 2019 7:13:02 AM

To: George Austin [C] <geaustin@tesla.com>; Aleksandra Janeska <ajaneska@tesla.com>; Jessica Siron <jesiron@tesla.com>

Cc: Jose Mendiola <jomendiola@tesla.com>; Joseph Genson <jogenson@tesla.com>; Steve Andersen <standersen@tesla.com>

Subject: Re: Safety Improvement Question & Suggestion

Moving others to bcc

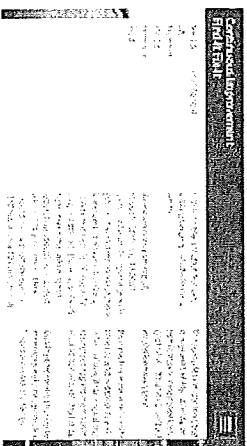
+ Aleks and Jessica

George, thanks for reaching out. I've added the EHS personnel directly supporting BMW. We would like to hear the safety suggestions you may have.

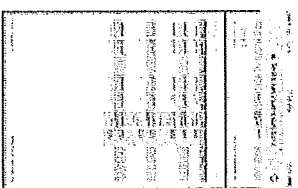
lan

- > On Dec 27, 2019, at 6:25 AM, George Austin [C] <geaustin@tesla.com> wrote:
- >
- > Good morning, Tesla Safety
- >
- > I wasn't sure which was the best email to send to, but have a safety question(s) & suggestion(s) that can potentially help preserve workers optimum health, and save Tesla money as well.
- >
- > The suggestion may be applicable elsewhere too, but had zone 4 in mind.
- >
- > Thank you,
- >
- > George J. Austin, esq. (TBA).

6 attachments

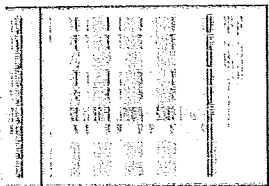


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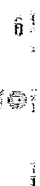


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You have received a new email from Mozell, C. (moez@mozell.com) with the subject 'Safety Improvement Question & Suggestion'.



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Exhibit F

George Austin <gaustin07@gmail.com>

(Print and Include in Complaint) Fwd: Vince Woodard, Sr. HR Manager - Tesla - (Conversion) Resume, Accomplishments, Educational Background

1 message

George Austin <gaustin07@gmail.com>
 To: George Austin <gaustin07@gmail.com>

Sun, Feb 2, 2020 at 4:27 PM

----- Forwarded message -----

From: **George Austin [C]** <gaustin07@gmail.com>
 Date: Tuesday, January 14, 2020
 Subject: Vince Woodard, Sr. HR Manager - Tesla - (Conversion) Resume, Accomplishments, Educational Background
 To: Vincent Woodard <woodard@tesla.com>
 Cc: Brandie To <bto@tesla.com>

Good Morning, Vince (Or as you may prefer, Mr. Woodard).

I hope this finds you phenomenally well and blessed beyond measure (as am I).

You are much appreciated.

I sent a similar email to Freddy (below), in preparation for a future meeting with him regarding the same topic (Conversion & HR issues), that may end up not being necessary depending on our timeline.

A fairly recent resume is attached with a caveat that some of my writings and projects have been put on hold due to other obligations taking precedent. In addition to the resume a few documents are also attached to provide context of the information included. I've earned & been blessed with some things early in my life that have opened my mind, and affirmed my highest aspirations.

Below are some brief highlights:

- [] Admitted to every undergraduate institution I applied to with an A average, (all top-tier) chose University of California, Berkeley (#1 Public Institution in the World) and did well, and graduated from there.
- [] Published author in college level textbook as well as multiple other works (See attached)
- [] Wrote multiple official analysis ultimately affecting 40 million people and policy in the area of Governance & Finance in & for the State Of California (housed here <http://leginfo.ca.gov>)
- [] Director - Managed 13 direct reports & 100 volunteers with a Quarter Million Dollar Budget, (https://www.berkeley.edu/news/berkeleyan/2009/03/04_Stiles.shtml)
- [] Applied super late in the law school application cycle and was still accepted, and awarded high scholarship packages to various top tier law schools. Applied after deadline and was still Waitlisted at Harvard Law even though they do not accept applications after the deadline
- [] Chose Georgetown Law because they were willing to defer my offer and hold my seat for a year while I accepted an offer from the California Senate/Senate Fellows Program/Capital Fellows Top 10 out of 821 according to Vault & Forbes (see attached - I accepted the offer, but declined the interview as I had too busy at the time www.recordnet.com/article/20120908/A_NEWS/209080325%3ftemplate=ampart)
- [] Georgetown in my last year of Law School 3L, on sabbatical/leave for lawsuit (Top 14 world wide) - see attached brochure & student ID (<http://contact.georgetown.edu/view/ga406/#>)
- [] National Representative National Association for the Advancement Of Colored People & Local President Youth & College Division (See Attached Photos)
- [] Housing Commissioner Bay Area City
- [] Lead attorney Multi-billion Dollar lawsuit. Has already been approved and claims validated by Harvard Trained Federal Judge, service completed, and currently in progress toward Victory in 9th Circuit.

I'll draft a separate email regarding the skills, positive feedback, and leadership utilized in my role here at Tesla with supporting documents.

Not sure if the separate email was delivered addressing this when it first transpired, but unfortunately both Jose (Supervisor) and

Steve (Associate Manager) just tried to lie to my face combined with an intimidation tactic which is part of a larger problematic, and legally liable, pattern of behaviors I'll address fully in the HR question email (issues that potentially include hostile work environment, wage theft, and attempted career sabotage, as well as others, unfortunately)

I will also send an email specifically addressing my accomplishments in my current role.

Did you need any more information from professional & educational background?

Thank you,

George J. Austin, esq. (TBA).

Excuse any duplicates or errors sent from mobile device

From: George Austin [C] <geaustin@tesla.com>
Sent: Wednesday, January 8, 2020 4:34:42 AM
To: Freddy Rivera <frivera@tesla.com>
Cc: Steve Andersen <standersen@tesla.com>; Danny Sakar <dsakar@tesla.com>; Juan Martinez <juamartinez@tesla.com>
Subject: Freddy Rivera - Resume, Accomplishments, Educational Background

Good Morning, Freddy

I hope this finds you phenomenally well and blessed beyond measure (as am I).

A fairly recent resume is attached with a caveat that some of my writings and projects have been put on hold due to other obligations taking precedent. In addition to the resume a few documents are also attached to provide context of the information included. I've earned & been blessed with some things early in my life that have opened my mind, and affirmed my highest aspirations.

Below are some brief highlights:

- [] Admitted to every undergraduate institution I applied to with an A average, (all top-tier) chose University of California, Berkeley (#1 Public Institution in the World) and did well
- [] Published author in college level textbook as well as multiple other works (See attached)
- [] Wrote multiple official analysis ultimately affecting 40 million people and policy in the area of Governance & Finance in & for the State Of California (housed here <http://leginfo.legislature.ca.gov>)
- [] Director - Managed 13 direct reports & 100 volunteers with a Quarter Million Dollar Budget, (https://www.berkeley.edu/news/berkeleyan/2009/03/04_Stiles.shtml)
- [] Applied super late in the law school application cycle and was still accepted, and awarded high scholarship packages to various top tier law schools. Applied after deadline and was still Waitlisted at Harvard Law even though they do not accept applications after the deadline
- [] Chose Georgetown Law because they were willing to defer my offer and hold my seat for a year while I accepted an offer from the California Senate/Senate Fellows Program/Capital Fellows Top 10 out of 821 according to Vault & Forbes (see attached - I accepted the offer, but declined the interview as I had too busy at the time www.recordnet.com/article/20120908/A_NEWS/209080325%3ftemplate=ampart <http://www.recordnet.com/article/20120908/A_NEWS/209080325%3ftemplate=ampart>)
- [] Georgetown in my last year of Law School 3L, on sabbatical/leave for lawsuit (Top 14 world wide) - see attached brochure & student ID (<http://contact.georgetown.edu/view/ga406/#>)
- [] National Representative National Association for the Advancement Of Colored People & Local President Youth & College Division (See Attached Photos)
- [] Housing Commissioner Bay Area City
- [] Lead attorney Multi-billion Dollar lawsuit. Has already been approved and claims validated by Harvard Trained Federal Judge, service completed, and currently in progress toward Victory in 9th Circuit.

I'll draft a separate email regarding the skills, positive feedback, and leadership utilized in my role here at Tesla with supporting documents.

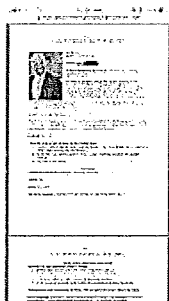
Did you need any more information from professional & educational background?

Thank you,

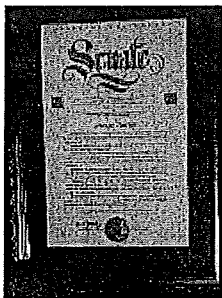
George J. Austin, esq. (TBA).

Excuse any duplicates or errors sent from mobile device

31 attachments



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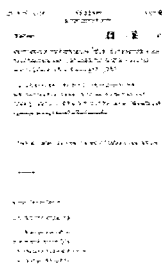
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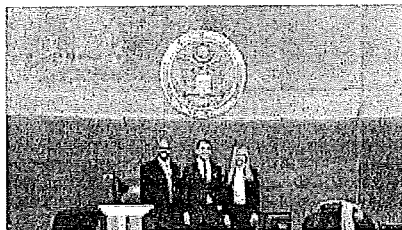


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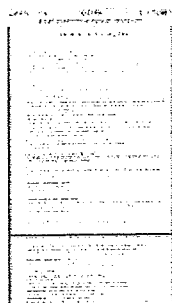
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Exhibit G

George Austin <gaustin07@gmail.com>

(Print & Include in () Inquiry about Tesla (Publicly Traded TSLA)/Balance Staffing/MVP Personnel (Contractors) - Whistle-blower Ombudsman (WPA)

1 message

George Austin <gaustin07@gmail.com>
To: George Austin <gaustin07@gmail.com>

Sun, Feb 2, 2020 at 4:16 PM

----- Forwarded message -----

From: George Austin <gaustin07@gmail.com>
Date: Friday, January 31, 2020
Subject: Whistleblower Violations Inquiry about Tesla (Publicly Traded TSLA)/Balance Staffing/MVP Personnel (Contractors) - Whistle-blower Ombudsman (WPA)
To: DSimpson@cpsc.gov, CPSCIG@cpsc.gov

Good Morning, WPA

I hope this email finds you phenomenally well, and blessed beyond measure (as am I).

I have some questions/inquires regarding recent behavior I experienced from Tesla in conjunction with their contractor staffing agencies (Balance Staffing/MVP Personnel Staffing) incurring magnified legal liability, and practicing retaliation against protected activities (i.e. whistle-blowing). In response to making the company aware, all the way up to the CEO, of practices that could result in liability for them due to their behaviors identified as wage theft, unsafe practices, creating a hostile environment, sabotaging upward career mobility, I appear to be retaliated against with workplace defamation per se, and potentially wrongful termination. The particular violation played out as:

- a) workplace defamation resulting in potential wrongful termination on an \$60-\$100k a year job opportunity, company ownership through standard pay and incentive opportunities,
- b) wrongful termination based on false & defaming premises
- c) wage theft in a variety of ways and
- d) retaliation, hostile work environment & Institutional Fraud in attempt to not correct pay, HR and payroll issues as the basis for wage theft.

I am preparing to sue in Federal Court, but also realized I should reach out to you for your input simultaneously. I really didn't want to sue and tried communicating at every level to solve the issue without litigation, yet they seem to refuse.

What are you thoughts, or suggestions?

Thank you,

George J. Austin, esq. (TBA).

EARNINGS STATEMENT IMPORTANT - KEEP FOR YOUR RECORDS**Mail to Employee****Balance Staffing Solutions**Name: **GEORGE J AUSTIN**

Check Date: 12/27/19

Check #: 3483327

2750 N. Cherryland Ave
Stockton, CA 95215
(209) 474-1379

SSN: EE ID:

Branch: Stockton - BSS

Week Worked	Customer - Department	Type	Hours	Pay Rate	Total Pay	YTD Hrs.	YTD Pay
12/16/2019 - 12/22/2019	TESLA, INC - Primary	Reg	30.00	\$20.90	\$627.00	780.00	\$16,302.00
12/16/2019 - 12/22/2019	TESLA, INC - Primary	OT	4.25	\$31.35	\$133.24	196.75	\$6,168.12

Tax Name	Taxable Grs.	Tax Amt.	YTD Tax
Federal Income Tax	\$760.24	\$78.73	\$2,926.79
FICA EE	\$760.24	\$47.13	\$1,393.15
MED EE	\$760.24	\$11.02	\$325.82
CA WH	\$760.24	\$20.69	\$942.72
CALIFORNIA SDI E	\$760.24	\$7.60	\$224.70

Bank Name	Amount	Account No.	Plan	Accrual Hrs.	Deplete Hrs.	Balance
RAPID	\$595.07	###5227	Sick Leave_CA	1.14	0.00	32.62

YTD Gross	\$22,470.12
Gross Amt.	\$760.24
Net Amt.	\$595.07

Check Number	3483327
---------------------	---------

Balance Staffing Solutions

2750 N. Cherryland Ave

Stockton, CA 95215

(209) 474-1379

Exhibit H

EARNINGS STATEMENT IMPORTANT - KEEP FOR YOUR RECORDS Mail to Employee**Balance Staffing Solutions**Name: **GEORGE J AUSTIN**

Check Date: 10/04/19 Check #:3462133

2750 N. Cherryland Ave
Stockton, CA 95215

SSN: EE ID:

Branch: Stockton - BSS

Week Worked	Customer - Department	Type	Hours	Pay Rate	Total Pay	YTD Hrs.	YTD Pay
9/23/2019 - 9/29/2019	TESLA, INC - Primary	Reg	40.00	\$20.90	\$836.00	340.00	\$7,106.00
9/23/2019 - 9/29/2019	TESLA, INC - Primary	OT	25.55	\$31.35	\$800.99	77.17	\$2,419.29

Tax Name	Taxable Grs.	Tax Amt.	YTD Tax
Federal Income Ta	\$1,636.99	\$264.42	\$1,199.01
FICA EE	\$1,636.99	\$101.49	\$590.57
MED EE	\$1,636.99	\$23.74	\$138.13
CA WH	\$1,636.99	\$100.71	\$374.61
CALIFORNIA SDI E	\$1,636.99	\$16.37	\$95.25

Bank Name	Amount	Account No.	Plan	Accrual Hrs.	Deplete Hrs.	Balance
RAPID	\$1,130.26	###5227	Sick Leave_CA	2.19	0.00	13.93

YTD Gross	\$9,525.29
Gross Amt.	\$1,636.99
Net Amt.	\$1,130.26

Check Number	3462133
---------------------	----------------

Balance Staffing Solutions2750 N. Cherryland Ave
Stockton, CA 95215

GEORGE J AUSTIN

Exhibit I

BALANCE STAFFING - MODESTO (145)

Voucher #: 8272888 Sort: 145 MODESTO BALSTO Order: 142

Employee ID	Check Date	Soc-Sec-Num	Period Start	Period End	Check No
George J Austin	10-04-2019	X	09-23-2019	09-29-2019	1453183

Federal Tax-Status S Allowance

State Tax - Status S Allowances 0/0

CURRENT EARNINGS DETAIL						DEDUCTIONS / TAXES		
Date	Description	Rate	Hours	Amount	Site	Description	Amount	Y-T-D
09-29-2019	REGULAR PAY	20.9000	40.00	836.00	BALSTO	MEDICAL 125	29.58	29.58
09-29-2019	OVERTIME	31.3500	25.56	800.99	BALSTO	DENTAL 125	5.00	5.00
						ACCIDENT	2.67	2.67
						VISION125	1.38	1.38
						FEDERAL TAX	258.51	1191.10
						MEDICARE	23.22	137.60
						SOC SECURITY	99.27	588.34
						CA DISABILITY	16.01	94.89

Total(s):	65.55	1,636.99
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Type	DIRECT DEPOSIT Account	Amount	Net Pay
CHECKING	15227	1,203.35	\$1,203.35

Net Pay YTD

Total:	1,203.35	\$7,474.73	Total(s):	433.64	2,050.56
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Y-T-D EARNINGS			PAID TIME OFF				EMPLOYER CONTRIBUTIONS		
Description	Amount	Desc	C/O	Accrued	Used	Balance	Description	Amount	Y-T-D
REGULAR PAY	7106.00	CA SICK PAY	0.00	13.00	0.00	13.00			
OVERTIME	2419.29								

Total:	\$9,525.29	Total(s):	0.00	0.00
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PERSONNEL STAFFING GROUP, LLC
1751 LAKE COOK ROAD, SUITE 600
DEERFIELD, IL 60015
(847) 663-4300

STAFFING SOLUTIONS, INC.
d/b/a BALANCE STAFFING
2142 BERING DRIVE
SAN JOSE, CA 95131

Build: RPT-2324

Query: HRP_CHECKS.MVO Version: Legal_FTO_Arial 19.10.193

Personnel Staffing Group, LLC
BALANCE STAFFING
2142 BERING DRIVE
SAN JOSE, CA 95131

1453183
10-04-2019

Pay: Non-negotiable

AMOUNT
\$0.00

To The Order Of: George J Austin

Negotiable

Exhibit J

Personnel Staffing Group, LLC
BALANCE STAFFING
2142 BERING DRIVE
SAN JOSE, CA 95131

MODESTO
BALMOD
BSS

145 MODESTO BALSTO
George J Austin

BALANCE STAFFING - MODESTO (145)

Voucher #: 8396131 Sort: 145 MODESTO BALSTO Order: 330

Employee ID	Check Date	Soc-Sec-Num	Period Start	Period End	Check No
George J Austin	12-27-2019		12-16-2019	12-27-2019	1582793

Federal Tax-Status S Allowances NONE

State Tax - Status S Allowances 0/0

CURRENT EARNINGS DETAIL						DEDUCTIONS / TAXES		
Date	Description	Rate	Hours	Amount	Site	Description	Amount	Y-T-D
12-22-2019	REGULAR PAY	20.9000	30.00	627.00	BALSTO	GARNISHMENT	91.80	1005.41
12-22-2019	OVERTIME	31.3500	4.25	133.24	BALSTO	MEDICAL 125	29.58	384.54
						DENTAL 125	5.00	65.00
						ACCIDENT	2.67	34.71
						VISION125	1.38	17.94
						FEDERAL TAX	74.41	2838.32
						MEDICARE	10.50	319.04
						SOC SECURITY	44.90	1364.16
						CA DISABILITY	7.24	220.02

Total(s):	34.25	760.24
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Type	Account	Amount	Net Pay
CHECKING	15227	492.96	\$492.96

Net Pay YTD

Total:	492.96	\$16,220.98	Total(s):	267.28	6,249.14
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Y-T-D EARNINGS			PAID TIME OFF				EMPLOYER CONTRIBUTIONS		
Description	Amount	Desc	G/O	Accrued	Used	Ba	Description	Amount	Y-T-D
REGULAR PAY	16302.00	CA SICK PAY	0.00	32.00	0.00	32.00			
OVERTIME	6168.12								

Total:	\$22,470.12	Total(s):	0.00	0.00
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PERSONNEL STAFFING GROUP, LLC 1751 LAKE COOK ROAD, SUITE 600 DEERFIELD, IL 60015 (847) 663-4300	STAFFING SOLUTIONS, INC. d/b/a BALANCE STAFFING 2142 BERING DRIVE SAN JOSE, CA 95131
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Build: RRT-3172

Query: HRP_CHECKS.MVQ Version: Legal_PTO_Arial 19.10.193

Personnel Staffing Group, LLC
BALANCE STAFFING
2142 BERING DRIVE
SAN JOSE, CA 95131

1582793
12-27-2019

Pay: Non-negotiable

AMOUNT
\$0.00

To The Order Of: George J Austin

Negotiable

Exhibit K

Personnel Staffing Group, LLC
BALANCE STAFFING
2142 BERING DRIVE
SAN JOSE, CA 95131

MODESTO
BALMOD
BSS

145 MODESTO BALSTO
George J Austin

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